

S&amp;H Form: PTO/SB/17 (10/03)

<b>RESPONSE TO NOTICE TO FILE MISSING PARTS</b>	Attorney Docket No.	826.1389D2RE
	Application Number	10/686,514
	Filing Date	October 16, 2003
	First Named Inventor	Hideaki SUGIYA et al.
	Group Art Unit	

Title:	AN OPTICAL AMPLIFIER AND AN OPTICAL AMPLIFICATION METHOD
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Pursuant to 37 C.F.R. § 1.53(f) and in response to the U.S. Patent and Trademark Office Notice to File Missing Parts of Nonprovisional Application mailed November 8, 2004 for the above-identified application, enclosed are the following:

- ☒ RETURN COPY of Notice to File Missing Parts of Nonprovisional Application
- ☒ Executed Combined Declaration/Power of Attorney executed by the inventor(s) for completing the missing parts of the subject application. The undersigned registered attorney states that the subject application is the application which the inventor(s) executed by signing the attached Declaration.
- ☐ Formal Drawings (\_\_\_ Sheets; Figs \_\_\_\_)
- ☐ English-language translation of application (with Translator's Statement (pages \_\_\_))
- ☒ Consent of Assignee, Statement Under 3.73(b) and Offer to Surrender.

Enclosed is a payment of the following:

- |  |                 |
|--|-----------------|
| <input type="checkbox"/> The filing fee as set forth in 37 C.F.R. § 1.16(a)        | \$              |
| <input type="checkbox"/> The additional claim(s) fee (claims over 20)              | \$              |
| <input type="checkbox"/> The additional independent claim(s) fee (claims over 3)   | \$              |
| <input type="checkbox"/> Multiple dependent claims                                 | \$              |
| <input type="checkbox"/> Petition for Extension of Time (___-month)                | \$              |
| <input type="checkbox"/> English language translation fee                          | \$              |
| <input checked="" type="checkbox"/> Surcharge as set forth in 37 C.F.R. § 1.16(e)  | \$130.00        |
| <b>SUBTOTAL FEES:</b>  | <b>\$130.00</b> |
| <input type="checkbox"/> Reduction by 50% for filing by small entity (37 CFR 1.27) | .00             |
| <b>SUBTOTAL FEES:</b>  | <b>\$130.00</b> |
| <b>TOTAL FEES DUE:</b>   | <b>\$130.00</b> |

Since the Notice to File Missing Parts of Nonprovisional Application set an original due date of \_\_, petition is hereby made for an extension to cover the date this reply is filed for which the requisite fee is enclosed (1 month (\$110)); (2 months (\$430)); (3 months (\$980)); (4 months (\$1,530)); (5 months (\$2,080)):

#### METHOD OF PAYMENT

- ☒ Check enclosed as payment.  
☐ Charge "TOTAL FEES DUE" to the Deposit Account No. 19-3935, below.

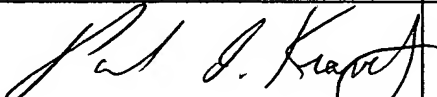
#### AUTHORIZATION

- ☒ If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 CFR 1.16 or 1.17 necessary to maintain pendency of the present application to:

Deposit Account No.: 19-3935

Deposit Account Name: STAAS & HALSEY LLP

**SUBMITTED BY: STAAS & HALSEY LLP**

Typed Name	Paul I. Kravetz	Reg. No.	35,230
Signature		Date	December 10, 2004



UNITED STATES PATENT AND TRADEMARK OFFICE

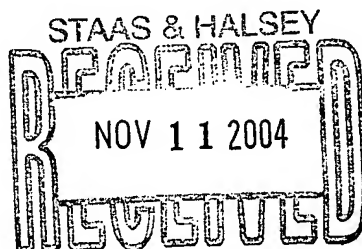


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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/686,514	10/16/2003	Hideaki Sugiyu	826.1389D2RE

21171  
STAAS & HALSEY LLP  
SUITE 700  
1201 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20005



CONFIRMATION NO. 6724  
FORMALITIES LETTER  
\*OC000000014315968\*  
\*OC000000014315968\*

Date Mailed: 11/08/2004

## NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION

### Filing Date Granted

An application number and filing date have been accorded to this reissue application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- Consent of assignee is missing. 37 CFR 1.172 requires that a reissue oath/declaration be accompanied by the written consent of all assignees.
- Assignee's statement under 37 CFR 3.73(b) establishing ownership of the patent is missing. 37 CFR 1.172 requires that all assignees consenting to the reissue application establish their ownership interest in the patent by filing in the reissue application a statement in accordance with 37 CFR 3.73(b).

### SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

00000051 10686514 130.00 OP  
12/13/2004 JADDO  
01 FC:1051

A copy of this notice **MUST** be returned with the reply.



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Initial Patent Examination/Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

